UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,228	09/12/2001	Robert G Brockbank	36-1465	2597

7590 12/09/2004

Nixon & Vanderhye
1100 North Glebe Road 8th Floor
Arlington, VA 22201-4714

EXAMINER	
CHAI, LONGBIT	
ART UNIT	PAPER NUMBER
2131	

DATE MAILED: 12/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/936,228	BROCKBANK ET AL.	
	Examiner	Art Unit	
	Longbit Chai	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 March 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) _____ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *none* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *03-12-2002*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Priority

1. The application is filed on 09/12/2001 but claims the benefit of foreign priority has been made and acknowledged.

Therefore, the effective filing date for the subject matter defined in the pending claims in this application is 07/02/1999 on the benefit of foreign priority date.

Drawings

2. The subject matter of this application admits of illustration by a drawing to facilitate understanding of the invention. Applicant is required to furnish a drawing under 37 CFR 1.81. No new matter may be introduced in the required drawing.

Applicant is given a TWO MONTH time period to submit a drawing in compliance with 37 CFR 1.81. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a). Failure to timely submit a drawing will result in **ABANDONMENT** of the application.

Examiner notes the drawing included in the PCT (IB) document filed on 03/17/2000 (Figure 1) is used in order to further proceed the examinations.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 6 – 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

Dependent claims 6 – 10 contain no additional limiting features beyond a mere reference to the single drawing feature. As a result, claims 6 – 10 provide no additional examinable material and thereby should have been omitted.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that forms the basis for the rejections under this section made in this Office action:

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 5 is rejected under 35 U.S.C. 102(b) as being anticipated by Suda (Patent Number: 5701339), hereinafter referred to as Suda.

As per claim 5, Suda teaches a method of user authentication in a password protected access system having a password sore in which each entry is

constituted by a respective user nominated network terminal identity and an associated respective password, the method comprising the steps of:

in response to receipt at the password protected access system of a call from a calling user at a network terminal, requesting the calling user to enter at that network terminal his nominated terminal identity and password (Suda: see for example, Figure 6 Element S27 and S30, Column 3 Line 32 – 33, Column 3 Line 32 – 33 and Column 3 Line 21 – 24 & Figure 2).

receiving the entered terminal identity and password; accessing the password store in accordance with the received entered terminal identity; and upon locating an entry whose stored network terminal identity and associated password match the received entered terminal identity and password, authenticating that calling user (Suda: see for example, Figure 6 Element S28, S30 and S24).

5. Claims 1 – 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Colvin (Patent Number: 6044471), hereinafter referred to as Colvin, in view of Enson (Patent Number: 5721780), hereinafter referred to as Enson and further evidenced by Suda (Patent Number: 5701339), hereinafter referred to as Suda.

As per claim 1 and 2, Colvin teaches a method of password update for a password protected access system having a password store in which each entry is

constituted by a respective network terminal identity store and an associated respective password store, the method comprising tire steps of:

receiving at a password update service a call from a network terminal (Colvin: see for example, Column 2 Line 48 – 49, Column 2 Line 55 – 56 and Figure 1 Element 12);

Colvin does not disclose expressly retrieving by the password update service from signaling information of that received call the identity of the network terminal from which that call was made and accessing the password store in accordance with the retrieved network terminal identity.

Enson teaches retrieving by the password update service from signaling information of that received call the identity of the network terminal from which that call was made; accessing the password store in accordance with the retrieved network terminal identity (Enson: see for example, Column 4 Line 51 – Column 5 Line 2, Column 4 Line 30 – 31, Column 7 Line 8 – 14 and Column 7 Line 40 – 47).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Enson within the system of Colvin because (a) Colvin discloses the need to develop less costly (i.e. more efficient) software to reduce administrative costs associated with password maintenance (Colvin: see for example, Column 2 Line 41 – 43) and (b) Enson teaches a method for implementing efficient password security in either of a computer or telecommunication network that is transparent to the network user or subscriber – i.e. (without knowing the network user or subscriber identity) by

retrieving the incoming call's telephone number from an automatic number identification (ANI) signaling unit (Enson: see for example, Column 1 Line 63 – 67).

Furthermore, as evidence, Suda also provides a method of accessing the password store by using the subscribe number (an equate to CLI) as an indicator to access the password store which is transparent to the network user or subscriber (Suda: see for example, Figure 2, Figure 6 Element S27 – S30 and Column 3 Line 32 – 33).

Enson discloses the password entry is automatically made of the encrypted network terminal identity and does not disclose expressly playing an announcement to the caller requesting the entry of a password at that network terminal. However, Colvin teaches the password entry / update can be sourced either from automatic updates or, alternatively, from the manual updates in the form of alphanumeric and/r encrypted password or of any other conventional type (Colvin: see for example, Column 2 Line 45 – 62).

Therefore, Colvin as modified further teaches characterized by the steps of:

upon locating an entry whose stored network terminal identity matches That retrieved network terminal identity, playing an announcement to the caller requesting the entry of a password at that network terminal (Colvin: see for example, Figure 3C Element 178, 180 & 182) & (Suda: see for example, Figure 2, Figure 6 Element S30 and Column 3 Line 32 – 33); and

upon receipt at the password update service of a password entered in response to that request, writing that received password into the associated respective password store of the located entry (Colvin: see for example, Figure 3C Element 178, 180 & 182) & (Suda: see for example, Figure 2, Figure 6 Element S30 and Column 3 Line 32 – 33).

As per claim 3 and 4, Colvin teaches a method of registering a new user of a password protected access system having a password store in which each entry is constituted by a respective network terminal identity store and an associated respective password store, the method comprising the steps of:

receiving at a password management service a call from a network terminal (Colvin: see for example, Column 2 Line 48 – 49, Column 2 Line 55 – 56 and Figure 1 Element 12);

Colvin does not teach expressly retrieving by the password management service from signaling information of that received call the identity of the network terminal from which that call was made.

Enson teaches retrieving by the password management service from signaling information of that received call the identity of the network terminal from which that call was made (Enson: see for example, Column 4 Line 51 – Column 5 Line 2, Column 4 Line 30 – 31, Column 7 Line 8 – 14 and Column 7 Line 40 – 47).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Enson within the system of

Colvin because (a) Colvin discloses the need to develop less costly (i.e. more efficient) software to reduce administrative costs associated with password maintenance (Colvin: see for example, Column 2 Line 41 – 43) and (b) Enson teaches a method for implementing efficient password security in either of a computer or telecommunication network that is transparent to the network user or subscriber – i.e. (without knowing the network user or subscriber identity) by retrieving the incoming call's telephone number from an automatic number identification (ANI) signaling unit (Enson: see for example, Column 1 Line 63 – 67).

Furthermore, as evidence, Suda also provides a method of accessing the password store by using the subscribe number which is transparent to the network user or subscriber (an equate to CLI) as an indicator to access the password store (Suda: see for example, Figure 2, Figure 6 Element S30 and Column 3 Line 32 – 33).

Therefore, Colvin as modified further teaches being characterized by the steps of:

accessing the password store in accordance with the retrieved network terminal identity (Suda: see for example, Figure 2 Column 3 Line 32 – 33) & (Enson: see for example, Column 7 Line 8 – 14 and Column 7 Line 40 – 47);

upon failure to locate an entry whose stored network terminal identity matches that retrieved network terminal identity, making a new entry in respect of

that retrieved network terminal identity (Enson: see for example, Column 5 Line 22 – 27);

Enson discloses this new entry is automatically made of the encrypted network terminal identity and does not disclose expressly playing an announcement to the caller requesting the entry of a password at that network terminal. However, Colvin teaches the password entry / update can be sourced either from automatic updates or, alternatively, from the manual updates in the form of alphanumeric and/r encrypted password or of any other conventional type (Colvin: see for example, Column 2 Line 45 – 62).

Therefore, Colvin as modified further teaches:

playing an announcement to the caller requesting the entry of a password at that network terminal (Colvin: see for example, Figure 3C Element 178, 180 & 182) & (Suda: see for example, Figure 2, Figure 6 Element S30 Column 3 Line 32 – 33).;

and upon receipt at the password management service of a password entered in response to that request, writing that received password into the associated respective password store of the newly made entry (Colvin: see for example, Figure 3C Element 178, 180 & 182) & (Suda: see for example, Figure 2 Column 3 Line 32 – 33).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3788.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Longbit Chai
Examiner
Art Unit 2131

LBC